



CITY OF LODI

PUBLIC WORKS DEPARTMENT

COUNCIL COMMUNICATION

TO : City Council

FROM: City Manager

MEETING DATE: September 28, 1988

AGENDA TITLE: Public Hearing to Consider Appeal of Victor W. Meyer, Representing Griffin Industrial Park, 1350 and 1370 East Pine Street, of the Planning Commission's Requirement to Construct a 7-Foot Masonry Fence Along the East Side of Guild Avenue

RECOMMENDED ACTION: That the City Council deny the appeal and approve the Planning Commission's recommendations.

BACKGROUND INFORMATION: At its meeting of August 22, 1988, the Lodi City Planning Commission conditionally approved the tentative subdivision map of Griffin Industrial Park, a 19.52-acre, 45-lot tract located at 1350 and 1370 East Pine Street, Lodi, in an area zoned M-2. The subdivision is located immediately west of the Lodi Memorial Cemetery which is in the County. See Exhibit A.

The letter of conditional approval for the subdivision is attached as Exhibit B. Item 6 of the conditions requires "that Guild Avenue conform to the cross-section depicted on the attached sketch". The sketch is attached as Exhibit C and shows a masonry wall on the east side of Guild Avenue to be built by the developer, and the east half of Guild Avenue being constructed by the City.

A copy of Vic Meyer's letter appealing the requirement for a 7-foot masonry fence is attached as Exhibit D.

A standard City requirement where commercial or industrial zoned property abuts to any type of residential property is to require a masonry wall. It is also a standard City requirement to require all street improvements within the development to be the responsibility of the developer except on limited access major arterials. When a street centers on a property line, the adjacent property that will be using the street for access would normally pay for one-half of the street improvements and one-half of sanitary sewer and water installations.

The specific plan for Guild Avenue (formerly Myrtle Avenue) was adopted in February 1972 by Resolution 3592. When it was later determined that some graves and an existing building housing a well were outside the cemetery property, the specific plan was amended by Ordinance 1204 in June 1980, requiring additional dedication by the owner of the Griffin Industrial Park.

APPROVED;

THOMAS A. PETERSON, City Manager

FILE NO.

CGRIFIN/TXTW.02M

September 20, 1988

City Council
September 28, 1988
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Both the original specific plan and the revised alignment are shown on Exhibit E. Since the revision, a chain link fence with slats has been installed by the owner of Lodi Memorial Cemetery.

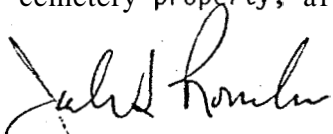
Even though the use difference between the two properties does not meet normal requirements, a masonry wall would provide both a visual and a sound barrier wall between the cemetery and the industrial property. It is apparent that the cemetery, because of the existing layout and use, will probably never need or wish to have access to Guild Avenue. As a consequence, possibilities for participation in the cost of street improvements are essentially nonexistent, even though it would normally be its responsibility.

Both the masonry wall and responsibility for construction of the east half of the street have been discussed previously, but no record can be found in either the Planning Commission or City Council minutes.

Possible Council actions include the following:

1. Deny the appeal. Construction of east half of Guild Avenue by City; construction of cemetery wall by developer.
2. Approve the appeal. Construction of east half of Guild Avenue by City; construction of cemetery wall either by City or cemetery, or no wall at all.
3. Approve the appeal but make appropriate modification of the Planning Commission conditions:
 - ° make the developer responsible for all of Guild Avenue; and
 - ° refer the matter back to the Planning Commission.

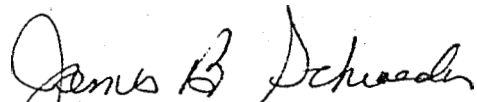
It is recommended that the City Council deny the appeal and determine that the Planning Commission conditions, having the City pay for the east half of Guild Avenue and the developer install a 7-foot masonry fence along the cemetery property, are appropriate.


Jack L. Ronsko
Public Works Director

JLR/GER/mt

Attachments

cc: Community Development Director


James B. Schroeder
Community Development Director

TEMTATIVE SUBDIVISION MAP OF
TRACT NO. 2245

GRIFFIN INDUSTRIAL PARK

BEING A PORTION OF THE SE 1/4 OF SEC. 6
TENTATIVE M.D.B. & M.
CITY OF LOS ANGELES COUNTY
CALIFORNIA
JULY 1988 SCALE 1"=100'

APPROVED BY THE CITY OF LOS ANGELES
COUNCIL ON THE DAY OF _____ 1988

FILED AS A TENTATIVE MAP _____

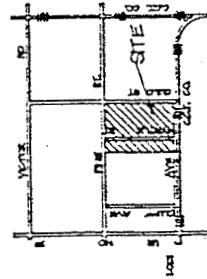
CONSENT - RECORDING CONSENT _____

APPROVED BY THE CITY OF LOS ANGELES _____

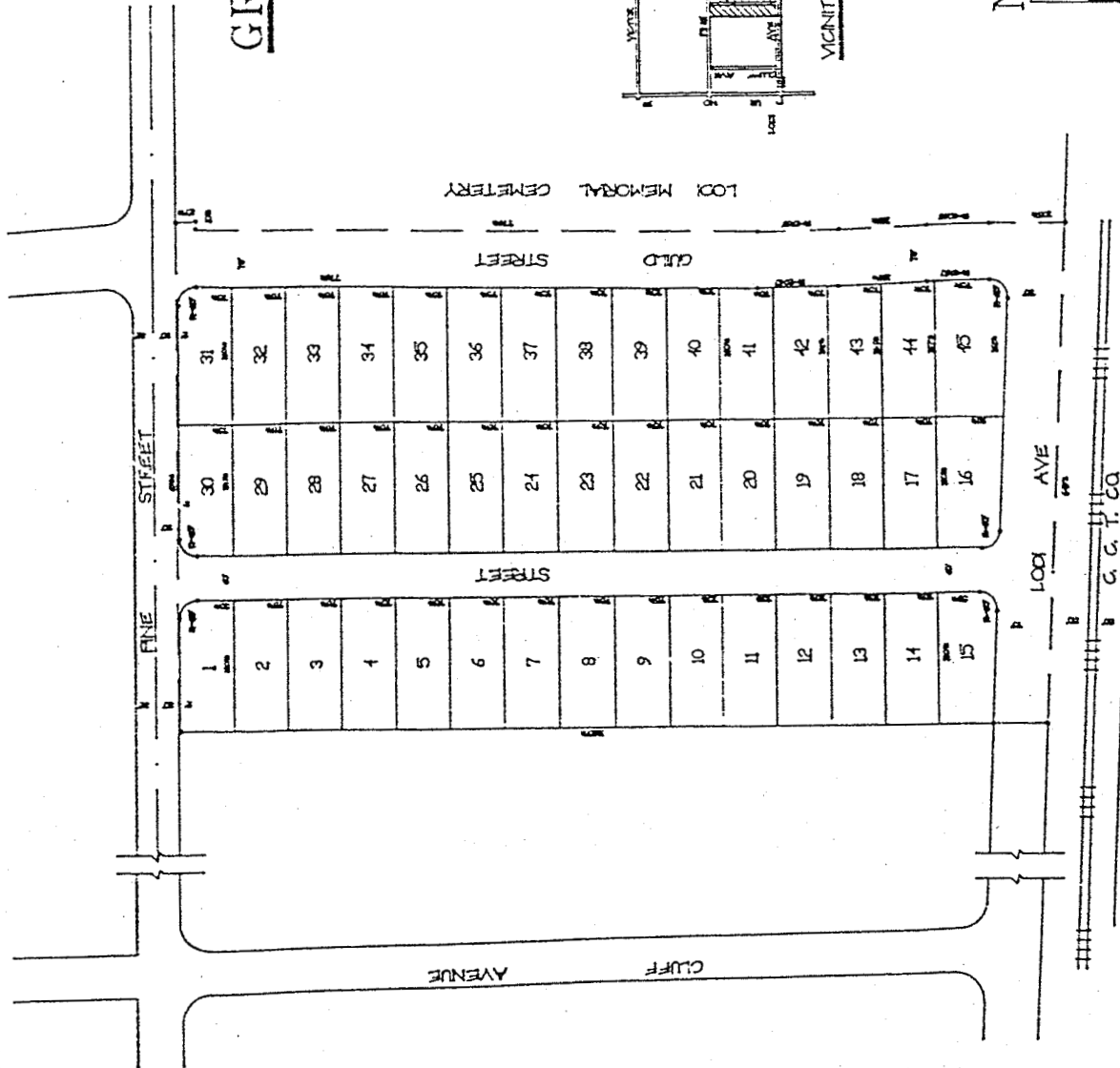
PREPARED FOR:
REUBEN G. GRIFFIN
BY THE CHARTERED AVE.
LOS ANGELES

PREPARED BY:
MC NEVIN STEINBERG ASSOCIATES
11000 WILSON BLVD.
LOS ANGELES, CA 90024

NOTE:
1. ALL LOTS ARE TO BE CONVEYED TO THE CITY OF LOS ANGELES BY THE VARIOUS UTILITIES.
2. THE CITY OF LOS ANGELES SHALL BE RESPONSIBLE FOR THE INSTALLATION OF THE UTILITIES.
3. THE CITY OF LOS ANGELES SHALL BE RESPONSIBLE FOR THE INSTALLATION OF THE UTILITIES.



VICINITY MAP



CITY COUNCIL

JAMES W. PISKERTOS, Jr. Mayor
JOHN R. (Randy) SNIDER
Mayor Pro Tempore
DAVID M. HINCHMAN
EVELYN M. OLSON
FRED M. REID

CITY OF LODI

CITY HALL, 221 WEST PINE STREET
CALL BOX 3006
LODI, CALIFORNIA 95241-1910
(209) 334-5634
TELECOPIER (209) 333-6795

Exhibit B

THOMAS A. PETERSON
City Manager
ALICE M. REIMCHE
City Clerk
BOB McNATT
City Attorney

August 23, 1988

Mr. Victor Meyer
c/o Vic Meyer Engineering Associates
4 North Main Street
Lodi, CA 95240

Dear Vic:

RE: Tentative Subdivision Map 88 S 007
Griffin Industrial Park
1350 and 1370 East Pine Street

At its meeting of Monday, August 22, 1988 the Lodi City Planning Commission conditionally approved the Tentative Subdivision Map of Griffin Industrial Park, a 19.52 acre 45-lot tract located at 1350 and 1370 East Pine Street (APN's 049-090-27 and 28) in an area zoned M-2, Heavy Industrial.

The Planning Commission's approval is subject to the following conditions:

1. that the developer enter into all applicable agreements;
2. that the developer pay all appropriate fees in effect at time of Final Map filing for:

Master Drainage	Sewer Connection
Intracat Drainage	Sanitary Sewer Reimbursements
Engineering	
3. that public utility easements as required by the various utility companies and the City of Lodi be dedicated;
4. that all corner cutoffs be for a 35-foot radius;
5. that engineered improvement plans be prepared for all public improvements prior to Final Map filing;
6. that Guild Avenue conform to the cross-section depicted on the attached sketch;
7. that the developer install all off-site utilities and street improvements;
8. that if driveways are to be installed during improvement of subdivision without building layouts for specific lots, they shall be 30 feet in width, centered on alternate property lines, and there shall be a 30-foot wide cross-over easement shown on the Final Subdivision Map;

Mr. Victor Meyer
August 23, 1988
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9. that storm drainage facilities be extended to all lots which may be accomplished with joint use of oil separation unit near joint property line;
10. that Myrtle Avenue be renamed to avoid the creation of future confusion ;
11. that the developer provide necessary right-of-way for curb return at southeast corner of Guild Avenue and Pine Street;
12. that the strip parcel between the last right-of-way line of Guild Avenue and Cemetery and its final disposition be shown on the Final Map; and
13. that full protection be provided per Fire Department requirements.

Section 16.36.010 of the Lodi Municipal Code (Subdivision Ordinance) provides the following appeals procedure:

"Procedure. Any person adversely affected by any decision of the advisory agency (i.e. Planning Commission) may file a complaint with the City Clerk concerning such decision. Any such complaint shall be filed with the City Clerk within fifteen (15) days after the action which is the subject of the complaint."

Your appeal, if any, must be in writing and directed to Alice M. Reimche, City Clerk, Call Box 3006, Lodi, CA 95241-1910. It must be received by her by 5:00 p.m., Tuesday, September 6, 1988.

In a related matter the Planning Commission certified the filing of a Negative Declaration by the Community Development Department as adequate environmental documentation on this request.

Sincerely ,

JAMES B. SCHROEDER
Community Development Director

Enclosure

cc: Robert L. Griffin
City Clerk



CITY OF LODI

PUBLIC WORKS DEPARTMENT

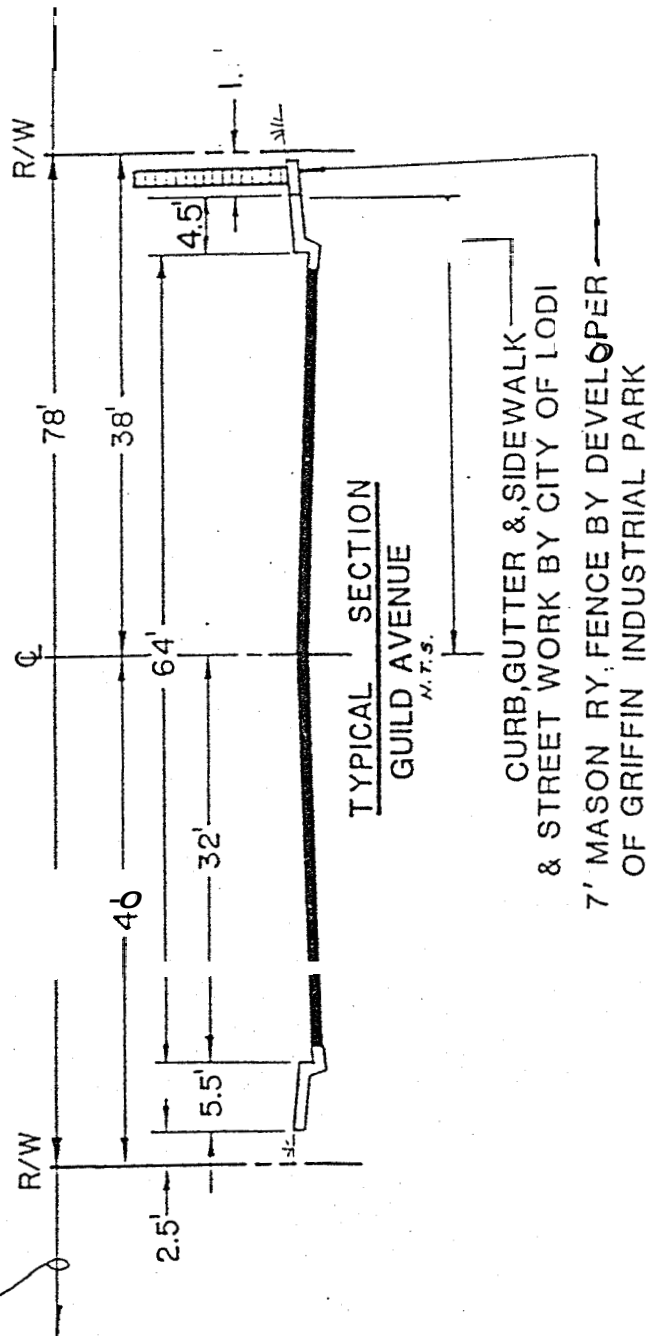
Exhibit C

GUILD AVENUE

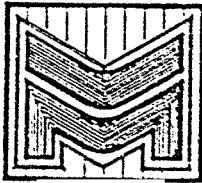
GRIFFIN INDUSTRIAL PARK

LODI MEMORIAL CEMETERY

PROPOSED
GRIFFIN INDUSTRIAL PARK



Dr. <i>JM</i>	No.	Date	Revision	Appr.	Approved By	
Ch.						
Date						
					Public Works Director RCE	Date



Vic Meyer
Civil Engineer

1988 AUG 11 10 11 AM '88

ALICE H. RE
CITY
CITY

8/31/88

City Council
City of Lodi
22T W. Pine Street
Lodi, Ca. 95240

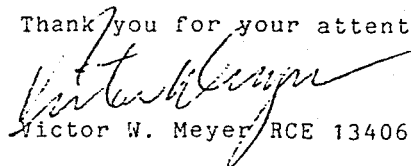
Att: A. Reimche-City Clerk

Re: Tentative Subdivision Map 88 S 007- Griffin Industrial
Park.

Dear Sirs;

Please accept this letter as notice of our appeal of the
Planning Commission requirement to construct a 7 foot high
masonry fence along the East side of Guild Ave. of the
above subject Subdivision.

Thank you for your attention to this matter.


Victor W. Meyer RCE 13406

4 North Main Street • P.O. Box 611 • Lodi, California 95240 • Telephone (209) 368-3296

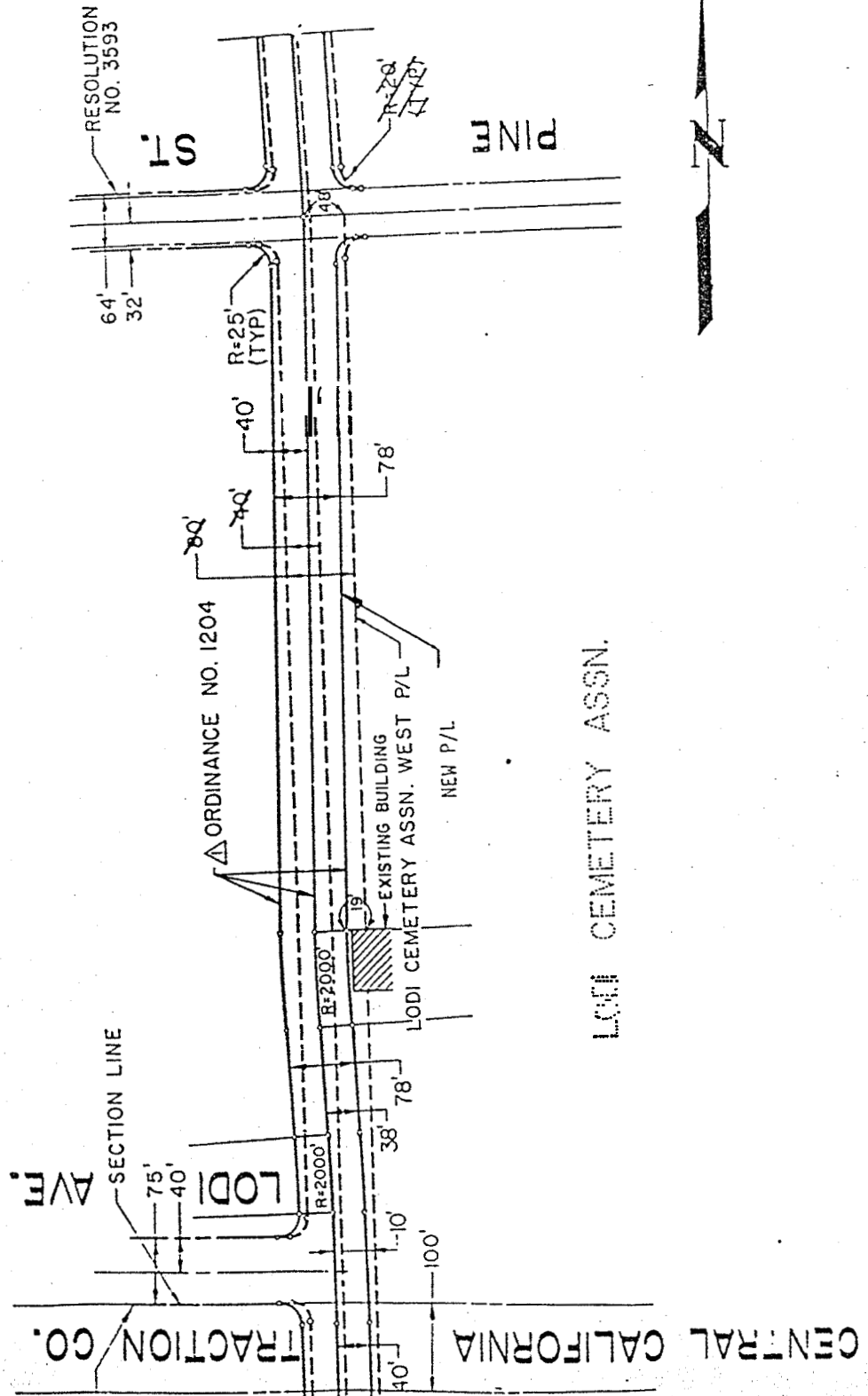
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CONDITION OF THE ORIGINAL



CITY OF LODI

PUBLIC WORKS DEPARTMENT

GUILD AVENUE SPECIFIC PLAN



NOTICE OF PUBLIC HEARING

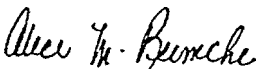
TO CONSIDER THE APPEAL OF VICTOR W. MEYER,
REPRESENTING GRIFFIN INDUSTRIAL PARK, 1350 AND 1370 EAST
PINE STREET, LODI, OF THE PLANNING COMMISSION'S REQUIREMENT
TO CONSTRUCT A 7 FOOT HIGH MASONRY FENCE ALONG THE EAST SIDE
OF GUILD AVENUE

NOTICE IS HEREBY GIVER that on Wednesday, September 28, 1988 at the hour of 7:30 pm., or as soon thereafter as the matter may be heard, the Lodi City Council will conduct a public hearing to consider the appeal of Victor W. Meyer, representing Griffin Industrial Park, 1350 and 1370 East Pine Street, Lodi, of the Planning Commission's requirement to construct a 7 foot high masonry fence along the east side of Guild Avenue.

Information regarding this item may be obtained in the office of the Community Development Director at 221 West Pine Street, Lodi, California. All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk at any time prior to the hearing scheduled herein and oral statements may be made at said hearing.

If you challenge the subject matter in court you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice or in written correspondence delivered to the City Clerk, 221 West Pine Street, Lodi, California, at or prior to, the Public Hearing.

By Order Of the Lodi City Council :


Alice M. Reimche
City Clerk

Dated: September 7, 1988

Approved as to form:

Bobby W. McNatt
City Attorney


PH/46
TXTA.02D